

REMARKS

Claims 1, 7, 9, 14, 15, 26, 60-64, 66, and 67 are pending in this application. Non-elected claim 26 has been withdrawn from consideration by the Examiner. By this Amendment, claim 67 is added. Support for the amendments to the claims may be found, for example, in the originally filed claim 2. No new matter is added.

In view of the foregoing amendments and following remarks, Applicants respectfully request reconsideration and allowance.

I. Personal Interview

The courtesies extended to Applicants' representative by Examiner Parkin in the telephone interview held May 28, 2009, are appreciated. The reasons presented in the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

II. 35 U.S.C. §102(e) Rejection

The Office Action rejects claims 1, 7, 9, 14, 15, 60, 61, 63, and 66 under 35 U.S.C. §102(e) over U.S. Patent No. 6,582,703 to Perron et al. ("Perron"). However, Perron is not available as prior art against the pending claims. This application claims foreign priority based on FR 97/08816, filed July 7, 1997. Submitted herewith is, upon information and belief, an accurate English-language translation of the certified copy of FR 97/08816. As is evident from the translation of FR 97/08816 attached hereto, the pending claims are fully supported by FR 97/08816. Accordingly, the pending claims are entitled to the benefit of the July 7, 1997 filing date of FR 97/08816.

The earliest effective filing date of Perron is November 26, 1997. As Perron was published after the July 7, 1997 effective filing date of this application, Perron is not available as prior art against this application under 35 U.S.C. §102(a) or §102(b). Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

III. 35 U.S.C. §103(a) Rejection

The Office Action rejects claims 62 and 64 under 35 U.S.C. §103(a) over Perron. For at least the above reasons, Perron is not available as prior art against the pending claims.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

IV. New Claim

By this Amendment new claim 67 is presented. As discussed during the interview, new claim 67 is believed to be patentable over the applied references. Prompt examination and allowance of new claim 67 are respectfully requested.

V. Rejoinder

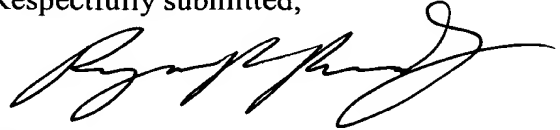
Applicants also respectfully request rejoinder of non-elected method claim 26. Where product and process claims are presented in the same application, Applicants may be called upon under 35 U.S.C. §121 to elect claims to either the product or process. MPEP §821.04. However, in the case of an elected product claim, rejoinder will be permitted when a product claim is found allowable and the withdrawn process claim depends from or otherwise includes all the limitations of an allowed product claim. *Id.* Because process claim 26 depends from product claim 14, claim 26 must be rejoined with the product claim when claim 14 is found allowable. Because claim 14 is believed to be allowable for at least the reasons presented above, Applicants respectfully request withdrawal of the Restriction Requirement and rejoinder of claim 26.

VI. Conclusion

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Applicants earnestly solicit favorable reconsideration and prompt allowance of the application.

Should the Examiner believe that anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:RRB/mef

Attachment:

English-Language Translation of FR 97/08816

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